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AFFIRMATION

JEFFREY C. HOFFMAN, duly affirms:

1. I am an attorney at law and licensed to practice in the State of New York and various federal jurisdictions including the Southern District New York.
2. I represented Dr. Vijay Chhabra in a criminal matter titled *United States v. Vijay Chhabra*, 98 CR 1138 (DC).
3. As a result of significant and lengthy negotiations with the United States Attorney's Office for the Southern District New York an agreement was reached wherein the Defendant pleaded guilty to a number of counts on or about July 6, 1999.
4. Dr. Chhabra and his wife spent considerable time with me throughout my representation of him discussing all aspects of this case. They were very diligent and frequently brought significant information that they had researched which they believed was relevant to the case.
5. As part of the plea agreement, the Defendant cooperated with the government. In the addendum to the pre-sentence report the Probation Department sentencing recommendation was a sentence of imprisonment of 1 year and 1 day to be followed by a 3 year period of supervised release. The Defendant wasn't sentenced to any incarceratory period. At the time of

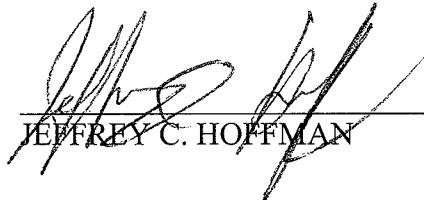
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my representation of Dr. Chhabra, I was aware of the immigration laws as they pertain to criminal convictions. While I don't have any memory of specific conversations with Dr. Chhabra, it was my practice to discuss the immigration ramifications resulting from criminal convictions with clients whose immigration status could be effected by such a condition.

6. In January of 2003, I recommend that Dr. Chhabra meet with David Glassman, Esq., an immigration lawyer, for advice concerning any requests we should make of the Court at the time of sentencing that might improve Dr. Chhabra's immigration problems.

7. While I have no specific memory of discussing the potential for withdrawing the guilty plea prior to sentence. It would have been within my normal practice to discuss that potential as a way to avoid the immigration problems that were being discussed prior to the actual sentence. Typically that potential is usually discarded for all the reasons that cause the decision to enter into the original plea and cooperation agreements.

Dated:


JEFFREY C. HOFFMAN